

1 AN ACT in relation to family law.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Illinois Marriage and Dissolution of  
5 Marriage Act is amended by changing Section 513 as follows:

6 (750 ILCS 5/513) (from Ch. 40, par. 513)

7 Sec. 513. Support for Non-minor Children and Educational  
8 Expenses.

9 (a) The court may award sums of money out of the  
10 property and income of either or both parties or the estate  
11 of a deceased parent, as equity may require, for the support  
12 of the child or children of the parties who have attained  
13 majority in the following instances:

14 (1) When the child is mentally or physically  
15 disabled and not otherwise emancipated, an application  
16 for support may be made before or after the child has  
17 attained majority.

18 (2) The court may also make provision for the  
19 educational expenses of the child or children of the  
20 parties, whether of minor or majority age, and an  
21 application for educational expenses may be made before  
22 or after the child has attained majority, or after the  
23 death of either parent. The authority under this Section  
24 to make provision for educational expenses extends not  
25 only to periods of college education or professional or  
26 other training after graduation from high school, but  
27 also to any period during which the child of the parties  
28 is still attending high school, even though he or she  
29 attained the age of 18. The educational expenses may  
30 include, but shall not be limited to, room, board, dues,  
31 tuition, transportation, books, fees, registration and

1 application costs, medical expenses including medical  
2 insurance, dental expenses, and living expenses during  
3 the school year and periods of recess, which sums may be  
4 ordered payable to the child, to either parent, or to the  
5 educational institution, directly or through a special  
6 account or trust created for that purpose, as the court  
7 sees fit.

8 If educational expenses are ordered payable, each  
9 parent and the child shall sign any consents necessary  
10 for the educational institution to provide the supporting  
11 parent with access to the child's academic transcripts,  
12 records, and grade reports. The consents shall not apply  
13 to any non-academic records. Failure to execute the  
14 required consent may be a basis for a modification or  
15 termination of any order entered under this Section.

16 The authority under this Section to make provision  
17 for educational expenses, except where the child is  
18 mentally or physically disabled and not otherwise  
19 emancipated, terminates when the child receives a  
20 baccalaureate degree.

21 (b) In making awards under paragraph (1) or (2) of  
22 subsection (a), or pursuant to a petition or motion to  
23 decrease, modify, or terminate any such award, the court  
24 shall consider all relevant factors that appear reasonable  
25 and necessary, including:

- 26 (1) The financial resources of both parents.
- 27 (2) The standard of living the child would have  
28 enjoyed had the marriage not been dissolved.
- 29 (3) The financial resources of the child.
- 30 (4) The child's academic performance.

31 (c) Notwithstanding any other provision of this Section,  
32 unless the parties agree to a higher amount, in making an  
33 award under paragraph (2) of subsection (a), the court may  
34 not award an amount greater than the total cost of tuition

1 and fees and room and board at the Champaign-Urbana campus of  
2 the University of Illinois for a comparable period of time  
3 and a comparable course of instruction.

4 (Source: P.A. 91-204, eff. 1-1-00.)